

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**MAGNOLIA HEALTHCARE, INC. and  
FOUNDATION HEALTH SERVICES, INC.,**

**PLAINTIFFS,**

**VS.**

**CIVIL ACTION NO. 4:04CV370-P-B**

**THE HARTFORD FINANCIAL SERVICES  
GROUP, INC.; HARTFORD UNDERWRITERS  
INSURANCE COMPANY, and JOHN DOES 1-25,**

**DEFENDANTS.**

**ORDER**

This matter comes before the court upon Defendants' Motion to Dismiss or Stay Pending Resolution of Parallel Action [7-1]. Upon due consideration of the motion and the responses thereto the court finds as follows, to-wit:

In light of Judge Frank J. Polozola's February 24, 2005 order transferring *Hartford Underwriters Insurance Company v. Foundation Health Services, Inc. f/k/a Lunch, Inc.*, Civil Action No. 04-773 from the United States District Court for the Middle District of Louisiana to this court, the instant motion should be denied as moot.

**IT IS THEREFORE ORDERED AND ADJUDGED** that Defendants' Motion to Dismiss or Stay Pending Resolution of Parallel Action [7-1] is hereby **DENIED** as moot.

**SO ORDERED** this the 14<sup>th</sup> day of July, A.D., 2005.

/s/ W. Allen Pepper, Jr.  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE